

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHAEL J. QUILLING, Receiver	§	
for Advanced Financial Services, Inc.,	§	
	§	
Plaintiff,	§	
	§	Civil Action No. 1:03-CV-0236
vs.	§	
	§	
TRADE PARTNERS, INC., MACATAWA	§	
BANK CORPORATION, successor by	§	
merger to GRAND BANK, THOMAS J.	§	
SMITH and CHRISTINE M. ZMUDKA,	§	
	§	
Defendants.	§	

REPORT AND RECOMMENDATION

On September 19, 2006, the Court conducted a hearing on the Receiver's Motion to Disallow/Adjust Claims of J. Michaelleen Meyer (Claim Nos. A-05065, A-05066, and A-05067) [Docket No. 1248], at which time the parties presented evidence, applicable law and argument. Before the conclusion of the hearing, the parties announced that a settlement had been reached with respect to the claims at issue, which settlement the Court finds to be in the best interest of the receivership estate.

Accordingly, based upon the agreement of the parties, the Magistrate judge recommends that the Receiver's motion be dismissed as withdrawn, that Claim No. A-05066 be allowed as an allowed "A" viatical claim in the amount of \$78,000, and that Claim Nos. A-05065 and A-05067 be deemed withdrawn.

Respectfully submitted,

Date: September 21, 2006

/s/ Ellen S. Carmody
ELLEN S. CARMODY
United States Magistrate Judge

OBJECTIONS to this Report and Recommendations must be filed with the Clerk of Court within ten (10) days of the date of service of this notice. 28 U.S.C. § 636(b)(1)(C). Failure to file objections within the specified time waives the right to appeal the District Court's order. *Thomas v. Arn*, 474 U.S. 140, 155 (1985); *United States v. Walters*, 638 F.2d 947, 949-950 (6th Cir. 1981).